



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David K. Gifford
Appl. No.: 09/711,511
Conf. No.: 8013
Filed: November 14, 2000
Title: DIGITAL ACTIVE ADVERTISING
Docket No.: 115274-015

Commissioner for Patents
Washington, DC 20231

DECLARATION

Sir:

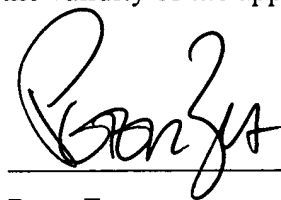
I, Peter Zura, am an attorney of record for the above-referenced U.S. Patent Application.

I further note that I am the individual responsible for maintaining a patent application file for this application with my law firm, Bell Boyd & Lloyd. Included in the maintenance of this patent application file is the recordation of all documents filed with the U.S. Patent and Trademark Office (such recordation being in the form of actual copies of all documents).

I hereby state that, after searching the file jacket for the present application and reviewing the docketing records associated therewith, the Office Action mailed on February 11, 2005 was never received at our office. In support of this statement I hereby attach a copy of the docket record for the present application where the non-received Office Action would have been entered had it been received and docketed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: October 7, 2005



Peter Zura